

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Rhett G. Depew, :
Plaintiff : Civil Action 2:12-cv-250
v. : Judge Marbley
Gary Krisher, *et al.*, : Magistrate Judge Abel
Defendants. :

OPINION AND ORDER

Plaintiff, an inmate at Ross Correctional Institution, filed this action on March 22, 2012, alleging that he had injuries to his left knee and right shoulder that have not been properly treated, and that he has been denied a bottom bunk restriction. He named Ross Correctional Institution Chief Medical Officer Dr. Gary Krisher, Health Care Administrator Lisa Bethel, Warden Timothy Buchanan, Inspector Andrew Eddy, Inspector Robert Whitten, and Governor John R. Kasich as defendants, alleging that they had violated his Eighth Amendment rights by acting with deliberate indifference toward his serious medical needs.

On April 18, 2012, the Magistrate Judge issued an initial screening report and recommendation, recommending that this action be permitted to proceed with respect to Defendant Gary Krisher alone. (Doc. 7.) Plaintiff filed no objections to the report and recommendation, and affirmatively stated in a May 10, 2012 letter to the Court that he did not oppose dropping the other defendants from his suit. (Doc.

10 at 1.) Defendant Gary Krisher has already filed an answer to Plaintiff's complaint.

Accordingly, the initial screening report and recommendation of the Magistrate Judge (Doc. 7) is **ADOPTED**. This action is hereby **DISMISSED WITH PREJUDICE** as against Defendants Lisa Bethel, Timothy Buchanan, Andrew Eddy, Robert Whitten, and John R. Kasich, for failure to state a claim upon which relief can be granted.

s/Algenon L. Marbley
United States District Judge